

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED
JUN 29 2017
Clerk, U.S. District Court
District Of Montana
Billings

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIAM DUTA LAMBERT, JR.,

Defendant.

CR 93-43-BLG-SPW-02

ORDER

On June 28, 2017, United States Magistrate Judge John Johnston entered Findings and Recommendations on the March 16, 2017, petition for revocation of Defendant Whitman's supervised release. (Docs. 67 and 73). The parties waived the objections period.

Even though the parties waived objections, consistent with the Court's "full authority" to review the Findings and Recommendations under any standard it deems appropriate, *Thomas v. Arn*, 474 U.S. 140, 154 (1958), the Court reviews for clear error. Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Based on Lambert, Jr.'s admissions to the alleged violations, Judge Johnston recommends his supervised release be revoked. Judge Johnston further

recommends that this Court sentence Lambert, Jr. to custody until June 29, 2017, with six months of supervised release to follow to include substance abuse treatment at Crystal Creek. Judge Johnston's Findings and Recommendations are without clear error and hereby adopted in full.

IT IS ORDERED that Defendant Lambert Jr.'s supervised release is revoked. Judgment will be entered by separate document.

DATED this 29 day of June 2017.



SUSAN P. WATTERS
United States District Judge